

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

DANIEL HORACEK,

Plaintiff,

v.

DR. CARTER et al.,

Defendants.

Case No. 1:20-cv-11682

Honorable Thomas L. Ludington  
United States District Judge

Honorable Anthony P. Patti  
United States Magistrate Judge

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
TO DENY DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

On May 19, 2020, Plaintiff filed a *pro se* complaint alleging deliberate indifference to his medical needs in violation of the Eighth Amendment against the medical and corrections staff at three different Michigan Department of Corrections facilities, ECF No. 1, which was referred to Magistrate Judge Anthony P. Patti, ECF No. 16. On June 29, 2021, Defendants filed a motion for partial summary judgment, ECF No. 29, which was fully briefed, ECF No. 55; 58; 61.

On March 10, 2022, Judge Patti issued a Report recommending that this Court deny Defendants' Motion for Summary Judgment. ECF No. 62. Although Judge Patti gave the parties 14 days to object under Federal Rule of Civil Procedure 72(b)(2), they did not file any objections. The parties have therefore waived their right to appeal Judge Patti's findings. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the Report and Recommendation, ECF No. 62, is **ADOPTED**, and Defendants' Motion for Partial Summary Judgment, ECF No. 29, is **DENIED**.

Dated: March 28, 2022

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge